



Journal of the House

State of Indiana

115th General Assembly

Second Regular Session

Twenty-sixth Meeting Day

Thursday Morning

March 6, 2008

The House convened at 10:00 a.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker read a prayer for wisdom and service (printed January 10, 2008).

The Pledge of Allegiance to the Flag was led by Representative Gregory J. Simms.

The Speaker ordered the roll of the House to be called:

| | |
|--------------------|-------------|
| Austin | Hinkle |
| Avery | Hoy |
| Bardon | Kersey |
| Bartlett | Klinker |
| Battles | Knollman |
| Behning | Koch |
| Bell | L. Lawson |
| Bischoff | Lehe |
| Blanton | Leonard |
| Borders | Lutz |
| Borror | Mays ☐ |
| Bosma | McClain |
| C. Brown | Micon |
| T. Brown | Moses |
| Buck | Murphy |
| Buell | Neese |
| Burton | Niezgodski |
| Candelaria Reardon | Noe |
| Cheatham | Orentlicher |
| Cherry | Oxley |
| Cochran | Pelath |
| Crawford | Pflum |
| Crooks | Pierce |
| Crouch | Pond |
| Davis | Porter |
| Day | Reske |
| Dembowski ☐ | Richardson |
| Dermody | Ripley |
| Dobis | Robertson |
| Dodge | Ruppel |
| Duncan | Saunders |
| Dvorak | Simms |
| Eberhart | M. Smith |
| Elrod | V. Smith |
| Espich | Soliday |
| Foley ☐ | Stemler |
| Friend | Steuerwald |
| Frizzell | Stevenson |
| Fry | Stilwell |
| GiaQuinta | Stutzman |
| Goodin | Summers |
| Grubb | Thomas |
| Gutwein ☐ | Thompson |
| E. Harris | Tincher |
| T. Harris | Torr |
| Herrell | Turner |

Tyler
Ulmer
VanDenburgh
VanHaaften

Walorski
Welch
Wolkins ☐
Mr. Speaker

Roll Call 301: 95 present; 5 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 10, 2008, at 1:00 p.m.

HOY

The motion was adopted by a constitutional majority.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 27, 111, 139, 159, 241, 307, 316, 336, and 343.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 81, 104, 107, 175, 189, 192, 197, 257, and 360.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David Long has made the following change in conferees appointments to Engrossed House Bill 1105:

Advisor: Merritt

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1165:

Conferees: Becker and Sipes
Advisors: C. Lawson and Breaux

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 81(b) of the Standing Rules and Orders of the Senate, President Pro Tempore David Long has made the

following change in conferees appointments to Engrossed House Bill 1204:

Advisor: Hershman

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 10 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Steele, Chair; and Arnold
Advisors: Broden and Bray

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 78 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Zakas, Chair; and Broden
Advisors: Steele and Lanane

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 215 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Landske, Chair; and Deig
Advisors: C. Lawson and Breau

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 314 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Nugent, Chair; and Lewis
Advisors: Jackman, Skinner, Hershman, and Hume

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has not concurred in House amendments to Engrossed Senate Bill 339 and the President Pro Tempore has appointed the following Senators a conference committee to meet and confer with a like committee of the House on said bill, and to report thereon:

Conferees: Merritt, Chair; and Rogers
Advisors: Hershman and C. Lawson

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I hereby transmit Senate Enrolled Acts 27, 111, and 139 for signature of the Speaker of the House.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House: On March 5, 2008, I signed into law House Enrolled Acts 1067 and 1244.

MITCHELL E. DANIELS, JR.
Governor

MESSAGE FROM THE PRESIDENT OF THE SENATE

Mr. Speaker and Members of the House: I have on the 5th day of March, 2008, I signed House Enrolled Acts 1108, 1113, 1124, 1210, and 1288.

REBECCA S. SKILLMAN
President of the Senate

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative E. Harris.

RESOLUTIONS ON FIRST READING

House Resolution 57

Representative Duncan introduced House Resolution 57:

A HOUSE RESOLUTION to urge the Legislature of the State of Indiana and the Indiana Republican and Democratic parties to pursue the goal of having a national primary to elect the President of the United States.

Whereas, The current structure for Presidential primaries/caucuses allows for only a small sample of the U.S. population to have a voice in who will be selected as the next President of the United States;

Whereas, Iowa and New Hampshire, who host the first two Presidential primaries/caucuses, represent less than 2% of the nation's population but receive a grossly disproportionate amount of the candidates' time and campaign dollars in the early stages of the race when a variety of candidates are pursuing the Presidency;

Whereas, Many candidates can not afford to remain in the Presidential race if they do not win or place high in the Iowa and New Hampshire contests; therefore, those candidates are not even able to be considered for the office by the vast majority of the nation's voters;

Whereas, The recent trend of "front-loading" in which states are violating the terms of their party rules in order to host primaries/caucuses at earlier dates, may be beneficial to the specific states involved, but is further hurting the nomination process and is creating a cause and effect problem where the campaign season is getting extended to historic lengths;

Whereas, Our country is comprised of states who are all proudly unique and diverse; therefore, the desires and opinions of one state or of a small collection of states will never represent the desires and opinions of all states;

Whereas, If each state were to have an equal opportunity to consider the full field of men and women who pursue the office of the Presidency, the candidates chosen during the primary process would truly represent the desires and opinions of the nation's citizens: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana General Assembly urges the political parties of the State of Indiana to take the steps necessary

to pursue the goal of a national Presidential primary so that Indiana can have more of a voice in future Presidential elections.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Indiana Republican and Democratic parties.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 58

Representatives Frizzell, Wolkins, Battles, and Crooks introduced House Resolution 58:

A HOUSE RESOLUTION urging the establishment of an interim study commission to review the work of utility companies as it impacts private property.

Whereas, Utility companies must modify the private property of their customers on a daily basis in order to provide basic services (i.e. installation of wires and/or cables, tree trimming, etc.);

Whereas, Private property owners have expressed grievances as to how their property has been altered by the work of utility companies: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to establish an interim study commission to review the work of utility companies as it impacts private property.

SECTION 2. That, if the committee is established, it should consider at least the following issues:

- (1) What industry practices are in place and commonly used when private property must be altered.
- (2) What grievances constituents have as related to this issue.

SECTION 3. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 59

Representatives Welch and Pierce introduced House Resolution 59:

A HOUSE RESOLUTION urging the legislative council to establish an interim study committee to study the issue of the use of PERF disability or worker's compensation insurance for firefighter disability.

Whereas, Numerous men and women from Indiana serve courageously and risk their lives daily protecting their communities from the threat of fire;

Whereas, These brave men and women deserve prompt action on disability claims: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to establish an interim study committee to study the issue of the use of PERF disability or worker's compensation insurance for firefighter disability.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council, and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 60

Representative Koch introduced House Resolution 60:

A HOUSE RESOLUTION urging the legislative council to establish an interim study committee on nuclear energy.

Whereas, There are currently 441 nuclear power reactors in operation in 31 countries in the world, including 104 commercial reactors in operation in the United States;

Whereas, Existing nuclear power reactors generate electricity for nearly one billion people and account for approximately 17% of worldwide electricity generation;

Whereas, Concerns over energy resource availability, climate change, air quality, and energy security suggest an important role for nuclear power in future energy supplies; and

Whereas, Further advances in nuclear energy system design, including Generation III and Generation IV technologies, can broaden the opportunities for the use of nuclear energy: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to create an interim study committee on nuclear energy.

SECTION 2. That, if so ordered, the committee shall consist of seven (7) members appointed as follows:

(1) Four (4) members of the general assembly appointed as follows:

(A) Two (2) senators appointed by the president pro tempore of the senate in consultation with the minority leader of the senate. The two (2) senators appointed under this clause may not be members of the same political party.

(B) Two (2) representatives appointed by the speaker of the house of representatives in consultation with the minority leader of the house of representatives. The two (2) representatives appointed under this clause may not be members of the same political party.

(2) Three (3) members appointed by the governor.

SECTION 3. That the president pro tempore of the senate and the speaker of the house of representatives shall jointly designate two (2) of the legislative members of the committee to serve as co-chairs of the committee.

SECTION 4. That the committee shall conduct a study of the feasibility of pursuing nuclear generated power in Indiana, including the following:

(1) An examination of advanced nuclear power reactors, including Generation III and Generation IV nuclear technologies.

(2) A review of the advanced nuclear technologies that are in operation in other states and countries.

(3) An examination of the methods by which spent nuclear fuel may be recycled, converted, and disposed.

(4) A review of the safety issues associated with operating and maintaining advanced nuclear power reactors.

(5) The estimated cost per kilowatt hour of energy generated by an advanced nuclear power reactor compared to the average cost per kilowatt hour of energy generated from other sources, such as wind, solar, hydroelectric, coal, and natural gas resources.

(6) An examination of the licensing, permitting, or other regulatory costs associated with constructing an advanced nuclear power reactor in Indiana.

(7) A review of potential federal tax incentives that may be available to support advanced nuclear power reactor projects in Indiana.

(8) An examination of any other topic that the committee

considers relevant in studying the feasibility of pursuing nuclear generated power in Indiana.

SECTION 5. That the committee shall operate under the policies governing study committees adopted by the legislative council.

SECTION 6. That the committee shall report its findings and any recommendations to the legislative council in an electronic format under IC 5-14-6 not later than December 1, 2008.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 61

Representative Koch introduced House Resolution 61:

A HOUSE RESOLUTION urging the Indiana Department of Transportation to name U.S. Highway 50 between Brownstown and North Vernon in honor of Governor Edgar Whitcomb.

Whereas, Governor Edgar Whitcomb is a great Hoosier and a great American;

Whereas, Governor Whitcomb was born in Hayden in Jennings County on November 6, 1917;

Whereas, Governor Whitcomb attended Indiana University until the outbreak of World War II;

Whereas, During World War II, Governor Whitcomb served heroically in the Philippines;

Whereas, Governor Whitcomb was stationed at Clark Field in the Philippines when it was attacked just days after the strike on Pearl Harbor and was part of the defense of the Philippines and until the fall of Bataan;

Whereas, Taken captive by the Japanese, Governor Whitcomb endured brutal treatment, threats of death, and confinement in a cramped cell;

Whereas, Finally freed in a prisoner exchange, Governor Whitcomb eventually returned to the Philippines serving as an aerial navigator;

Whereas, Governor Whitcomb wrote about his war experiences in books entitled Escape from Corregidor and On Celestial Wings;

Whereas, After the war was over, Governor Whitcomb returned to Indiana University and completed his law degree and practiced law in North Vernon, Seymour, and Indianapolis for 14 years;

Whereas, It was during this time that Governor Whitcomb began to develop a political base and first ran for public office;

Whereas, In 1966, Whitcomb was elected Secretary of State; in 1968, he was elected governor;

Whereas, Governor Whitcomb was inaugurated as the 43rd governor of Indiana on January 13, 1969, and served for four years;

Whereas, After leaving office, Governor Whitcomb served as director of the Mid American World Trade Association and resumed his law practice in Indianapolis;

Whereas, After retirement, Governor Whitcomb returned to southern Indiana; and

Whereas, Governor Whitcomb served his state and his country in time of war and peace; and he is a dedicated Hoosier whose contributions to our state and nation will be felt for generations to come: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana General Assembly recognizes and honors the accomplishments of Governor Edgar Whitcomb and urges the Indiana Department of Transportation to name that

section of Highway 50 between Brownstown and North Vernon in honor of Governor Edgar Whitcomb.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

Senate Concurrent Resolution 56

The Speaker handed down Senate Concurrent Resolution 56, sponsored by Representatives Bauer, Bosma, Espich, and T. Harris:

A CONCURRENT RESOLUTION urging the Legislative Council to direct the Educational Technology Council to study the feasibility of establishing a continuing appropriation for the Indiana Technology Fund and renaming the fund the Senator David C. Ford School and Library Technology Fund.

Whereas, The Educational Technology Council was created in 2005 to advise the Governor and the Superintendent of Public Instruction on education related technology initiatives;

Whereas, Senator David Ford was among the initial appointees to the Council because of his expertise in technology generally, as evidenced by his chairmanship of the Senate Economic Development and Technology Committee since its inception in 2003;

Whereas, Senator Ford has been a respected leader, tireless advocate, and visionary champion for initiatives aimed at increasing educational opportunities for Indiana children through the use of technology;

Whereas, Among the initiatives championed by Senator Ford was the creation and continued funding of the Indiana Technology Fund;

Whereas, The Indiana Technology Fund's mission is to provide permanent and stable funding to support and maintain a statewide information technology infrastructure for Indiana's schools and libraries;

Whereas, Senator Ford's vision for Indiana in the 21st century is a place where every student in every school in every corner of our state has access to the technology tools required to learn and compete in the global marketplace; and

Whereas, In order to achieve this goal, a certain and predictable source of funding is vital: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Legislative Council is urged to direct the Educational Technology Council to study the feasibility of a continuing appropriation to the Indiana Technology Fund established under IC 4-34-2.

SECTION 2. That the Legislative Council is also urged to direct the Educational Technology Council to recommend that legislation be introduced in the next General Assembly to rename the Indiana Technology Fund the David C. Ford School and Library Technology Fund, as a recognition of Senator Ford's extraordinary efforts in this area.

SECTION 3. That the Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Ford and his family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Representatives Foley and Wolkins, who had been excused, were present.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1185.

L. LAWSON

Roll Call 302: yeas 51, nays 44. Motion prevailed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:00 p.m. with the Speaker in the Chair.

Representative Dembowski, who had been excused, was present.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1045 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

BISCHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1052 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

NEESE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1293 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

GIA QUINTA

Motion prevailed.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

- | | |
|----------|---|
| EHB 1045 | Conferees: Bischoff and Koch Advisors: Stemler and Saunders |
| EHB 1052 | Conferees: Hoy and Neese Advisors: Oxley, Steuerwald, and Ulmer |
| EHB 1293 | Conferees: GiaQuinta and M. Smith Advisors: Welch, Foley, and Saunders |

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

- | | |
|--------|---|
| ESB 10 | Conferees: L. Lawson and Foley Advisors: VanHaaften, Thomas, and Ulmer |
|--------|---|

- | | |
|---------|---|
| ESB 78 | Conferees: VanHaaften and Foley Advisors: Tyler, Saunders, and Steuerwald |
| ESB 213 | Conferees: Stilwell and Wolkins Advisors: Welch and Ruppel |
| ESB 215 | Conferees: Pierce and Lehe Advisors: GiaQuinta and Richardson |
| ESB 227 | Conferees: L. Lawson and Crouch Advisors: VanDenburgh, Walorski and Duncan |
| ESB 258 | Conferees: V. Smith and Borders Advisors: Grubb and Foley |
| ESB 269 | Conferees: Fry and Knollman Advisors: Tyler, Goodin, T. Brown, and Murphy |
| ESB 312 | Conferees: Moses and Borrer Advisors: Pierce, Lehe, and Richardson |
| ESB 314 | Conferees: Pflum and Friend Advisors: Goodin, Knollman, and Stutzman |
| ESB 315 | Conferees: Hoy and T. Brown Advisors: VanDenburgh and Crouch |
| ESB 329 | Conferees: VanHaaften and Buell Advisors: Robertson, Niezgodski, and Leonard |
| ESB 339 | Conferees: Austin and Saunders Advisors: Pelath, Duncan, and Davis |

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

- | | |
|--------|----------------|
| ESB 43 | Advisor: Grubb |
|--------|----------------|

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed House Bill 1065 because it conflicts with SEA 210-2008 without properly recognizing the existence of SEA 210-2008, has had Engrossed House Bill 1065 under consideration and begs leave to report back to the House with the recommendation that Engrossed House Bill 1065 be corrected as follows:

Page 3, line 26, delete "ADDED BY P.L.149-2007," and insert "AMENDED BY SEA 210-2008, SECTION 1,".

Page 3, line 27, delete "SECTION 2,".

Page 3, line 33, delete "If" and insert "Subject to subsection (g), if".

Page 3, line 36, delete "under".

Page 3, line 37, delete "IC 31-15-2".

Page 3, line 38, strike "or".

Page 3, line 40, after ";" insert "or".

Page 4, between lines 24 and 25, begin a new paragraph and insert:

"(g) A member may not make the election under subsection (c) if a final order or property settlement in an action for dissolution of marriage:

(1) prohibits a change in the member's designated beneficiary; or

(2) provides a right to a survivor benefit to a person who would be removed as the designated beneficiary.".

Page 4, line 25, delete "(g)" and insert "(h)".

Page 4, line 28, delete "(h)" and insert "(i)".

(Reference is to EHB 1065 as printed February 15, 2008.)

PELATH, Chair
FOLEY, R.M.M.
SAUNDERS, Author

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed Senate Bill 307 because it conflicts with SEA 190-2008 without properly recognizing the existence of SEA 190-2008, has had Engrossed Senate Bill 307 under consideration and begs leave to report back to the House with the recommendation that Engrossed Senate Bill 307 be corrected as follows:

Page 23, line 32, delete "IC 15-12-1-48 IS ADDED TO THE INDIANA" and insert "IC 15-12-1-48, AS ADDED BY SEA 190-2008, SECTION 3, IS AMENDED".

Page 23, line 33, delete "CODE AS A NEW SECTION".

Page 23, line 34, reset in roman "Sec. 48. (a) The secretary of state shall".

Page 23, reset in roman lines 35 through 42.

Page 24, reset in roman line 1.

Page 24, line 2, reset in roman "capital stock not".

Page 24, line 2, after "not" insert in stricken type "in excess of".

Page 24, line 2, reset in roman "five thousand dollars (\$5,000) of".

Page 24, reset in roman lines 3 through 16.

Page 24, line 16, after "for" insert in stricken type "which".

Page 24, line 17, reset in roman "is as provided in subdivision (3)".

Page 24, reset in roman lines 18 through 21.

Page 24, between lines 21 and 22, begin a new line block indented and insert in stricken type:

"(6) For filing a designation of or change of resident agent for any association, one dollar (\$1).".

Page 24, line 22, before "(6)" insert in stricken type "(7)".

Page 24, line 22, reset in roman "For each certificate issued by the secretary of state, one".

Page 24, reset in roman lines 23 through 27.

(Reference is to ESB 307 as reprinted February 27, 2008.)

PELATH, Chair
FOLEY, R.M.M.
BARDON, Sponsor

Report adopted.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1036.

ULMER

Roll Call 303: yeas 95, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House reconsider its actions whereby it dissented from the Senate amendments to Engrossed House Bill 1042 and that the House now concur in the Senate amendments to said bill.

GOODIN

Roll Call 304: yeas 82, nays 12. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1169.

ORENTLICHER

Roll Call 305: yeas 86, nays 9. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate

amendments to Engrossed House Bill 1271.

STEMLER

Roll Call 306: yeas 94, nays 1. Motion prevailed.

The House stood for a moment of silence in memory of Senator David Ford, who died on Wednesday.

RESOLUTIONS ON FIRST READING

House Resolution 62

Representative Ruppel introduced House Resolution 62:

A HOUSE RESOLUTION to mark the centennial celebration of the North Manchester Public Library.

Whereas, The community of North Manchester is proud to celebrate the 100th anniversary of their public library;

Whereas, In the great tradition established when Benjamin Franklin drafted the articles of agreement in July, 1731, to create the nation's first library of books, the North Manchester Women's Club held a "book shower" and opened the first North Manchester Public Library in 1908;

Whereas, The first library was located in the Town Hall, and the Manchester Women's Club members took turns serving as librarian;

Whereas, The first library board was appointed in 1909, and in March, 1910, the community received a donation from Andrew Carnegie for \$10,000 which was used to construct a community library on Main Street, a site that is now an Indiana Historic Landmark and on the National Historic Register;

Whereas, Through the years, as the library collection and services expanded, so did the need for a new facility. The new North Manchester Public Library, a gift from the Mary K. Peabody Foundation, opened on October 9, 1995, and serves as a place for retreat, education and inspiration for the North Manchester community: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the North Manchester library board, employees, and volunteers, as well as the North Manchester community, on the 100th anniversary of the North Manchester Public Library.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the North Manchester Public Library.

The resolution was read a first time and adopted by voice vote.

House Resolution 63

Representative Pond introduced House Resolution 63:

A HOUSE RESOLUTION honoring the 60th anniversary of the Allen County Retired Teachers Association.

Whereas, The "Fort Wayne Area Retired Teachers" was organized in 1947 under the leadership of Miss Bell Noble and Mr. Robert Harris and is believed to be the first organized group of retired teachers in the United States;

Whereas, Membership was open to all teachers and administrators of the ten-county area in northeastern Indiana, including Adams, Allen, DeKalb, Huntington, Kosciusko, LaGrange, Noble, Steuben, Wells and Whitley;

Whereas, The National Retired Teachers Association was organized in 1947 in Berkeley, California, under the leadership of Dr. Ethel Percy Andrus, and the Fort Wayne Association has a Charter granted by the National Retired Teachers Association dated June 25, 1951, and signed by Dr. Ethel Percy Andrus;

Whereas, As of September 1, 1998, the name "Allen County

Retired Educators Association” was adopted to more accurately reflect membership of all educators from the four school corporations in Allen County;

Whereas, The purpose of the Allen County Retired Educators Association, as stated in its bylaws, is to “provide a practical basis for the united efforts to improve and equalize the status of retired educators—previous, present and future;”

Whereas, Allen County Retired Educators Association members have donated thousands of hours of volunteer work for community service efforts over the years;

Whereas, Upon the 60th anniversary of the Allen County Retired Educators Association in 2007, the Association now enters its 61st year under the leadership of President Beverly Brunson, President-Elect Mary Lou Morris, Vice President Carol Patterson, Secretary Lois Guess and Treasurer Robert Weaver: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the officers and members of the Allen County Retired Teachers Association on the 60th anniversary of their organization.

SECTION 2. That the Principal Clerk of the Indiana House of Representatives shall transmit a copy of this resolution to the Allen County Retired Teachers Association.

The resolution was read a first time and adopted by voice vote.

House Resolution 64

Representative Soliday introduced House Resolution 64:

A HOUSE RESOLUTION to congratulate the Chesterton High School boys’ swim team on winning the state championship.

Whereas, The Chesterton High School boys’ swim team, the Trojans, experienced a remarkable year of success;

Whereas, The Trojans, who clenched the state championship on Saturday, February 23, 2008, with a total score of 271 points, became the first Northwest Indiana team in 20 years to bring home the state title;

Whereas, The team won the 200 free relay and also won the 200 medley relay with a record time of 1:32.05;

Whereas, Kyle Whitaker set the public school record in the 200 IM with a time of 1:46.75 and also went on to win the 100 fly event;

Whereas, Bill Bass also led the team by taking first place in the 500 free event;

Whereas, No one is prouder of the team’s victory than Coach Kevin Kinel, who in this 28th year of coaching for the Trojans, has been named, “Coach of the Year”;

Whereas, Success has been defined by the hard work, countless training hours, teamwork, and drive of the members of the Chesterton High School boys’ swim team: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the Chesterton High School boys’ swim team on an exciting championship season and wishes Coach Kinel and the team the very best of luck in their future pursuits.

SECTION 2. That the Principal Clerk of the Indiana House of Representatives shall transmit a copy of this resolution to Chesterton High School.

The resolution was read a first time and adopted by voice vote.

House Resolution 65

Representatives Welch and Friend introduced House Resolution 65:

A HOUSE RESOLUTION urging the legislative council to establish an interim study committee on water.

Whereas, Indiana is blessed with bountiful water resources;

Whereas, Indiana’s water resources are essential to all Hoosier citizens and businesses;

Whereas, Indiana has experienced both population and business growth that is stressing our water supplies;

Whereas, Indiana has had significant water shortages in the 40’s, 60’s, and 80’s and will again in the future;

Whereas, Indiana’s water resources, while plentiful, are finite;

Whereas, There are some areas of Indiana that have experienced recent water shortages;

Whereas, The Water Resources Study Committee was directed by HB 1738-07 to “study and make findings and recommendations” on Indiana’s current and future water situation;

Whereas, There remains work to be done on creating an Indiana water plan;

Whereas, The State Department of Natural Resources has one of the most comprehensive water use databases in the Midwest;

Whereas, Most of Indiana’s neighboring states have launched water supply planning programs to better retain business and protect their citizens and economy; and

Whereas, Indiana has an obligation to coordinate our long-term water use for the benefit of future generations and to assure that no part of the State is more vulnerable than any other in the event of a drought: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Water Resources Study Committee will investigate these issues to develop a proposal to begin the process of sophisticated planning that reflects the growing need for water.

SECTION 2. The Committee should develop a specific time frame within which tasks will be completed.

SECTION 3. This study should consider all water users in rural and municipal settings.

SECTION 4. The proposal should be based on scientific principles as well as the anticipated demands of growth to assure the beneficial use of water for the future of Indiana.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 66

Representative VanDenburgh introduced House Resolution 66:

A HOUSE RESOLUTION urging the Legislative Council to assign the topic of automated traffic control systems to a committee for further study during the interim.

Whereas, It is important to maintain the safety of workers of a construction or maintenance zone from speeding motor vehicles by installing an automated traffic control system in the construction or maintenance zone and issuing traffic tickets to violators;

Whereas, The running of red lights at intersections results in an estimated one hundred thousand motor vehicle accidents and one thousand fatalities annually in the United States; and

Whereas, Automated traffic control systems is an important topic affecting Hoosiers that deserves serious consideration from

the legislature: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:*

SECTION 1. That the Legislative Council is urged to assign the topic of automated traffic control systems to a committee for study and research during the interim.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council, and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

Senate Concurrent Resolution 12

The Speaker handed down Senate Concurrent Resolution 12, sponsored by Representatives Bischoff and Knollman:

A CONCURRENT RESOLUTION recognizing the town of Brookville, Indiana, on the occasion of the 200th anniversary of its founding.

Whereas, Brookville, a small town nestled in the Whiteriver Valley of southeastern Indiana, provided Indiana with four of its early governors, James Brown Ray (1825-1831), Noah Noble (1831-1837), David Wallace (1837-1840), and Abram Hammond (1860-1861);

Whereas, On August 8, 1808, the original plot of Brookville was recorded in the courthouse at Lawrenceburg;

Whereas, In 1858, Brookville was the center of agriculture and commerce in the newly developing area;

Whereas, Brookville is the birthplace of General Lew Wallace, the author of such classics as Ben Hur;

Whereas, Painters J. Ottis Adams, T.C. Steele, William Forsythe, and Otto Starke established a studio/art colony in the 19-room house that is now known as The Hermitage;

Whereas, The Hermitage is one of the properties that qualifies Brookville to be placed on the National Register of Historic Places;

Whereas, As the county seat of Franklin County, Brookville serves as a shining example of the hospitality and friendliness of the citizens of this area; and

Whereas, Small towns are the lifeblood of Indiana; it is, therefore, fitting that we honor the town of Brookville on the occasion of the 200th anniversary of its founding: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly acknowledges the 200th anniversary of the founding of Brookville and recognizes its many contributions to our state's proud heritage.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to Michael Biltz, president of the Brookville town council, and the Brookville American Legion Post.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 17

The Speaker handed down Senate Concurrent Resolution 17, sponsored by Representative Dermody:

A CONCURRENT RESOLUTION honoring Michael Fout from LaPorte High School as the 2007 winner of the Foot Locker National High School Boys cross Country Championship for his

hard work and accomplishments.

Whereas, Michael Fout won the Foot Locker National High School Boys Cross Country Championship and was the first Indiana resident to win this national championship;

Whereas, Mr. Fout ran 5,000 meters (3.1 miles) in 14 minutes, 50 seconds, a full seven seconds in front of the second place runner;

Whereas, Mr. Fout is a two-time Indiana Cross Country State Champion and a champion of numerous other invitational and conferences including Indiana Association of Track and Cross Country Coaches Runner of the Year, First Team All State;

Whereas, Whereas, Mr. Fout has been his cross country team's captain for three years and has been awarded the team's Most Valuable Player for two years;

Whereas, Mr. Fout excels at academics and received an ACT score which could earn him academic all state honors;

Whereas, Mr. Fout has been awarded a full athletic scholarship to attend Florida State University: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. The Indiana General Assembly hereby recognizes Michael Fout's achievements and honors him for his hard work and accomplishments.

SECTION 2. The Secretary of the Senate is directed to transmit a copy of this resolution to Michael Fout, Tim Beres, Cross Country and Track Coach, and LaPorte High School.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 30

The Speaker handed down Senate Concurrent Resolution 30, sponsored by Representative Cheatham:

A CONCURRENT RESOLUTION recognizing the achievements of the Southwestern Band program in its history of repeated excellence in all areas of the program.

Whereas, The Southwestern Band Program, which includes marching, concert, and pep band, Solo and Ensemble, and winter guard, under the direction of Ruth E. Nickels, prides itself on being a small band that plays from the heart, works hard, and achieves amazing things and is well-known throughout the Midwest as a "small, but mighty" group of young students;

Whereas, The marching band placed tenth in Class D in the 1998 Indiana State School Music Association's state finals and placed second in 2000 and in 2007, the 34-member band had an undefeated season and won the Preliminary and Finals Championship in Class A;

Whereas, In 2005, the band made its first appearance in the Midstates marching circuit and finished as Class A Champions and in 2006, the band won the preliminary Class A Championship and finished third overall;

Whereas, The concert band has constantly won gold divisions at the ISSMA concert band contests, has won the High School Concert band Division at Music Showcase Festivals at Kings Island in Ohio for the past three years, and won the outstanding high school instrumental group at Music Showcase Festivals as well as the overall sweepstakes award for the top scoring ensemble overall over any weekend in 2007;

Whereas, The pep band has cheered on the Southwestern Rebels at numerous athletic events including the 1998 boys' runner-up basketball team, the 2002 girl's state champion basketball team, and the 2003 girl's runner-up in Class AA basketball team; and

Whereas, Many students have competed in the ISSMA District and State Solo and Ensemble competition each year and, the 2001 winter guard placed second and was silver medalist in the Indiana High School Color Guard Association State Finals: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. The Indiana General Assembly hereby recognizes the achievements of the Southwestern Band program in its history of repeated excellence in all areas of the program.

SECTION 2. The Secretary of the Senate is directed to transmit a copy of this resolution to Jeff Bates, Southwestern High School principal and band director, Ruth Nickels.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 35

The Speaker handed down Senate Concurrent Resolution 35, sponsored by Representatives Avery, Crouch, and VanHaaften:

A CONCURRENT RESOLUTION congratulating the Evansville Memorial High School Boys Soccer Team on winning the IHSAA State Tournament.

Whereas, On Saturday, October 27, 2007, at Kuntz Stadium in Indianapolis, the Evansville Memorial High School Boys Soccer Team defeated Chesterton to win the IHSAA State Championship Title;

Whereas, The teams fought hard in the first half, but the game remained scoreless at halftime. During the second half, in a free kick that resulted from a Chesterton foul, Daniel Farabaugh lofted the ball over the defenders and Andrew Fuchs headed it in to score;

Whereas, The Tiger defense was relentless during the final nineteen minutes, holding the Trojans to a scoreless game; and

Whereas, Having lost in the semifinal round in 2005 and 2006, teammates and fans were finally able to relish a state championship victory: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Evansville Memorial Boys Soccer Team on winning the 2007 IHSAA State Tournament.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Evansville Memorial Principal, Gerry Adams; Coach, Bill Vieth; and each member of the Evansville Memorial Boys Soccer Team.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 36

The Speaker handed down Senate Concurrent Resolution 36, sponsored by Representative Bischoff:

A CONCURRENT RESOLUTION recognizing the Aurora Farmer's Fair on its 100th anniversary which will take place in October, 2008.

Whereas, The Aurora Farmer's Fair, one of Indiana's oldest street festivals, occurs annually in Aurora, Indiana on the first Thursday, Friday, and Saturday of October. 2008 will mark the 100th anniversary of this tradition;

Whereas, Aurora is located in the Southeast corner of Indiana along the Ohio River in Dearborn County. Many of the town's

residents consider the Farmer's Fair to be the highlight of the year;

Whereas, The Farmer's Fair began as a harvest fair, but has expanded to include carnival games and rides, live entertainment on each night of the fair, a wide variety of exhibits and contests, and a parade with a vast array of floats, middle and high school marching bands, and even the customary fire engines;

Whereas, The Farmer's Fair is sponsored by the Aurora Indiana Lion's Club. Founded in 1948, the club consists of individuals who share a deep passion for service to their community. With the motto, "We Serve," they donate their time and energy to make Aurora a better place; and

Whereas, Because the Farmer's Fair is such a great event, people from near and far come out to mingle with friends, compete for prizes, take in the historic beauty of Aurora, and enjoy the festivities: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes the Aurora Farmer's Fair on its upcoming 100th anniversary.

SECTION 2. The Secretary of the Senate is directed to transmit a copy of this resolution to the Aurora Farmer's Fair and the Aurora Indiana Lion's Club.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 41

The Speaker handed down Senate Concurrent Resolution 41, sponsored by Representative Foley:

A CONCURRENT RESOLUTION congratulating the Martinsville High School Academic Decathlon Team on winning the state competition.

Whereas, The Martinsville High School Academic Decathlon team won its eleventh straight state large school title during the state competition held at Purdue University on February 8 and 9, 2008;

Whereas, The purpose of the United States Academic Decathlon (USAD) is to develop and provide academic competitions, curriculum, and assessment to promote learning and academic excellence through teamwork among students of all achievement levels;

Whereas, In order to win, the students had to compete with other schools in the areas of art, economics, essay, interview, language and literature, mathematics, music, science, social studies, and speech;

Whereas, In considering the importance of the competition, Coach Wayne Babbitt said, "The Decathlon is the most challenging and the most rewarding competition. Some of my students say if it weren't for the Decathlon, they would not have gone on to college or received a scholarship.";

Whereas, Because of this great accomplishment, the Artesians will be representing Indiana at the USAD National Finals in Garden Grove, California from April 30 through May 3; and

Whereas, This state title carries on the long legacy of success achieved by the Martinsville High School academic teams: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Martinsville High School Academic Decathlon

Team on winning its eleventh straight state competition.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Martinsville High School Superintendent, Dr. Ron Furniss; Principal, Don Alkire; Team Coach, Wayne Babbitt; and each member of the championship team.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 42

The Speaker handed down Senate Concurrent Resolution 42, sponsored by Representative Foley:

A CONCURRENT RESOLUTION honoring the Martinsville High School Academic Spell Bowl Team.

Whereas, The Martinsville High School Academic Spell Bowl Team became the 2007 Class One Spell Bowl State Champion with a perfect score of 90 Points;

Whereas, The 2007 Championships were held on the campus of Purdue University on November 10, 2007. The Spell Bowl is sponsored by the Indiana Association of School Principals;

Whereas, The Martinsville High School victory in the Championships marks the 13th consecutive year that the Artesians have won or been runner up of the Academic Spell Bowl State Competition;

Whereas, The Martinsville High School Spell Bowl team boasts 10 competing members and one alternate. In preparation for the Spell Bowl, team members learn 3,500 words and their definitions each year;

Whereas, On the road to the State Championship the Artesian spellers competed against over 200 teams from across the state. In the area competition, Martinsville scored the second highest number of points in the state; and

Whereas, The success of Martinsville High School's academic teams has been described as "a dynasty of academic excellence": Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates the Martinsville High School Spell Bowl Team on its victory and wishes the team continued success in future competitions.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to Martinsville High School Superintendent, Dr. Ron Furniss; Principal, Don Alkire; Team Coach, Wayne Babbitt; and each member of the championship team.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 44

The Speaker handed down Senate Concurrent Resolution 44, sponsored by Representatives Steuerwald and Reske:

A CONCURRENT RESOLUTION to recognize Lieutenant General Carol Mutter for being the first woman in the Marine Corps to achieve the rank of Lieutenant General.

Whereas, Lt. General Carol Mutter graduated from the University of Northern Colorado with a B.A. degree in mathematics education in 1967 and was immediately commissioned a Second Lieutenant in the Marine Corps. Throughout her military career, Lt. General Mutter continued her education earning an M.A. degree in National Security and

Strategic Studies from the Naval War College, an M.S. degree from Salve Regina University and attending the Amphibious Warfare School and the Marine Corps Command and Staff College. In addition, Lt. Gen. Mutter has received an honorary doctorate from both the University of Northern Colorado and Salve Regina University;

Whereas, After completing the Woman Officer Basic Course at Marine Corps Base Quantico, VA, in 1967, Lt. General Mutter was assigned to data processing installations. In 1971, she returned to Quantico as a platoon commander and instructor for women officer candidates and basic course lieutenants. At the end of this duty she had reached the rank of Captain;

Whereas, From 1973 through 1984, Lt. General Mutter progressed to the rank of Lieutenant Colonel while serving in various capacities, including: Project Officer, Financial Management Officer, Assistant Chief of Staff, Comptroller, and Deputy Comptroller. Then, utilizing her experience in data processing and financial management, in 1985 Lt. General Mutter was assigned as the Deputy Program Manager, and later Program Manager, for the development of an automated pay and personnel system for active, retired, and reserve Marines;

Whereas, In 1988, Lt. General Mutter joined the U.S. Space Command, J-3 (operations) Directorate where she became the first woman to be qualified as a Space Director. While in the Space Command, Lt. General Mutter progressed to become Division Chief responsible for the operation of the Space Command Commander in Chief's Command Center;

Whereas, In August 1990, Lt. General Mutter was assigned to duty in Okinawa, Japan, but returned to Quantico as a Brigadier General in June 1991. Then, in June 1992, Lt. General Mutter transferred back to Okinawa, this time as the first woman of general/flag officer rank to command a major deployable tactical command. She became the first woman Marine Major General in June 1994 and became the first woman to advance to the rank of Lieutenant General in the Marine Corps on September 1, 1996;

Whereas, Lt. General Mutter served for over 31 years before retiring from the U.S. Marine Corps in January 1999, when she relocated to Indiana. Throughout her career, Lt. General Mutter received many medals and decorations, including the Distinguished Service Medal, the Defense Superior Service Medal, Navy and Marine Corps Commendation Medal, Navy Achievement Medal, Meritorious Unit Commendation with bronze star, National Defense Service Medal with bronze star, and the Sea Service Deployment Ribbon with four bronze stars. In addition, Lt. General Mutter was the first woman nominated by the President of the United States for a three-star rank;

Whereas, In addition to her military accolades, Lt. General Mutter has also received numerous non-military awards recognizing her achievements, including the Secretary of Defense Award for Outstanding Public Service, the American Leadership Award from the State of Colorado, the 1992 Trail Blazer Award from UNC, the Living Legacy Patriot Award from the Women's International Center and the Margaret Cochran Corbin Award from the Daughters of the American Revolution. Lt. General Mutter was also inducted into the Colorado Women's Hall of Fame; and

Whereas, Since retiring from the military, Lt. General Mutter continues to be involved in her community. She has built a business working as a consultant assisting companies in acquiring government contracts and serves as a member of the Indiana Commission on Military and Veterans Affairs. In addition, Lt. General Mutter was appointed by the President of the United States to serve as a Commissioner on the American Battle Monuments Commission: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly commends Lieutenant General Carol Mutter on her numerous accomplishments throughout her career in the Marine Corps.

SECTION 2. Lieutenant General Mutter's dedication and achievement have helped to open many doors to women serving in the military.

SECTION 3. The Secretary of the Senate is hereby directed to send a copy of this resolution to Lieutenant General Carol Mutter.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 45

The Speaker handed down Senate Concurrent Resolution 45, sponsored by Representative Tyler:

A CONCURRENT RESOLUTION recognizing the Indiana Writing Projects' contribution to the education of Indiana students.

Whereas, The Indiana Writing Project, the first National Writing Project site in Indiana, founded in 1986 at Ball State University, is committed to promoting the best possible writing instruction in Indiana's elementary, secondary, and post-secondary schools;

Whereas, The National Writing Project-Indiana Network now comprises five sites, located at Ball State University, IUPUI, IUS-New Albany, Purdue-Calumet, and IPFW-Ft. Wayne, with a teacher network of 915 Writing Project trained teacher-consultants in 59 Indiana counties throughout the state;

Whereas, The Indiana Writing Projects work with close to 2,000 teachers annually;

Whereas, The Indiana Writing Projects share the 50-state National Writing Project program model, adhering to a set of shared principles and research-based practices for teachers' professional development, and offering programs that are common across the network;

Whereas, In addition to developing a leadership cadre of local teachers called "teacher-consultants" through invitational summer institutes, Indiana Writing Project sites design and deliver customized inservice programs for local schools, districts, and higher education institutions, and they provide a diverse array of continuing education and research opportunities for teachers at all levels;

Whereas, National research studies have confirmed significant gains in writing performance among students of teachers who have participated in National Writing Project programs;

Whereas, Pre-post studies of student writing in Indiana writing project teachers' classrooms during the year following their participation in Summer Institute show statistically significant gains, comparison studies between writing project and non-writing project classrooms show significantly higher ISTEP+ pass rates (for Writing Application and Language Conventions) for students in writing project classrooms, and multiple-year studies of schools working with Writing Project consultants demonstrate significant gains in ISTEP+ language arts scores, sufficient in one case to earn the school Blue Ribbon status;

Whereas, The five Indiana Writing Project sites are recognized through annual review by the National Writing Project, bringing over a quarter million federal dollars into

Indiana each year, including NWP's prestigious Local Site Research Initiative awards: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes and commends the Indiana Network of Writing Projects for promoting better writing that leads to a most desirable chain of events for Hoosier students—better learning and thinking, better reading, better academic success, and better performance in the 21st Century workplace.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Site Directors of each site: Linda Hanson, Indiana Writing Project, Muncie; Karol Dehr and Glenda Moss, Appleseed Writing Project, Ft. Wayne; Steven Fox, Indiana Teachers of Writing Project, Indianapolis; Kevin Sue Bailey, IUS Writing Project, New Albany; and Carolyn Boiarsky, Northwest Indiana Writing Project, Calumet.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 46

The Speaker handed down Senate Concurrent Resolution 46, sponsored by Representative Foley:

A CONCURRENT RESOLUTION memorializing Army Staff Sgt. William Ryan Fritsche.

Whereas, Army Staff Sgt. William Ryan Fritsche was killed on July 27, 2007 when his unit came under fire from enemy combatants in Afghanistan;

Whereas, Those who knew Staff Sgt. Fritsche described him as a quiet, focused, and determined boy who would have succeeded at anything he tried. He enjoyed playing basketball and golf, riding 4-wheelers, listening to country music, and being outdoors;

Whereas, After graduating from Martinsville High School in 2002, Staff Sgt. Fritsche began serving in the United States Army and was promoted to Sergeant in April, 2005. He was chosen to serve in the Old Guard at Arlington National Cemetery and marched in President Bush's inaugural procession in Washington, D.C., in 2005;

Whereas, In Afghanistan, Staff Sgt. Fritsche served with the 1st Squadron, 91st Cavalry Regiment, 173rd Airborne Brigade Combat Team. During his military career, he was awarded the Bronze Star, Purple Heart, a NATO citation, an Afghanistan Campaign Ribbon and the Combat Infantry Badge; and

Whereas, Staff Stg. Ryan Fritsche will be remembered as a hero who gave his life to protect this great nation: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the General Assembly expresses its condolences on the death of Staff Sgt. William Ryan Fritsche and extends to his family sincere appreciation for his sacrifice defending freedom for all people.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Staff Sgt. Fritsche's widow, Brandi Fritsche; his mother, Morgan County Sheriff's Department Detective Sergeant Volitta Fritsche; and his grandfather, J.W. Miller.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 48

The Speaker handed down Senate Concurrent Resolution 48, sponsored by Representatives Bauer, Niezgodski, and Dvorak:

A CONCURRENT RESOLUTION congratulating Gabriella Agostino on winning the Indiana State One-Meter Diving Event.

Whereas, Gabriella Agostino, a senior diver on the South Bend St. Joseph's High School Swimming Team, placed second in the regional competition which qualified her to compete at the state competition;

Whereas, After the preliminary round of the state competition, Gabriella found herself in third place, but her practice and perseverance paid off when she performed well on her last six dives to win the state title;

Whereas, Gabriella became just the second diver in St. Joseph's history to win the state diving competition; and

Whereas, The citizens of Indiana take pride in the athletic competition and achievement of our youth. We commend Gabriella Agostino on her hard work and dedication to the sport of diving: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates Gabriella Agostino on winning the state title in the one-meter diving event at the state championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to St. Joseph's High School Principal, Susan Richter, Head Coach Bonnie Schrems, and Gabriella Agostino.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 55

The Speaker handed down Senate Concurrent Resolution 55, sponsored by Representatives Ruppel and Reske:

A CONCURRENT RESOLUTION memorializing Staff Sergeant Bradley King.

Whereas, Staff Sgt. Bradley King was killed on April 2, 2007 by an improvised explosive device while he was riding in a Humvee during combat operations in Al Amiriyah, Iraq;

Whereas, Staff Sgt. Bradley King of LaFontaine had been serving in Iraq since September with Company A, Second Battalion, 152nd Infantry. This is the same unit he had been a part of since he enlisted in September 1997, before graduating from Mississinewa High School in 1998;

Whereas, A funeral procession that included Indiana State Police, Gas City police, Marion police and Grant County sheriff's vehicles and a group of Patriot Guard Riders on motorcycles made its way through Gas City before reaching its stopping point in Wabash; and

Whereas, Staff Sgt. King was a caring person who was dedicated to his family and friends. It was this dedication that lead him to fight for freedom for all. He is truly a great American hero: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly expresses its condolences on the death of Staff Sgt. Bradley King and extends to his family sincere appreciation for his sacrifice defending freedom for all people.

SECTION 2. The Secretary of the Senate is hereby directed

to transmit a copy of this resolution to the Staff Sgt. Bradley King's family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 57

The Speaker handed down Senate Concurrent Resolution 57, sponsored by Representative Bischoff:

A CONCURRENT RESOLUTION congratulating the Rising Sun Recorder on its 175th anniversary.

Whereas, The "Rising Sun" was established on November 16, 1833, by Isaac Stevens. His goal for the paper was to give opinions that made readers think, while not getting too involved in politics;

Whereas, At its inception, the Rising Sun newspaper focused primarily on international and national news with some local news consisting mainly of one page social gossip;

Whereas, One of the first news items covered was the occurrence of a "shower of luminous meteors" that streamed through the sky above Rising Sun. This event caused great fear among the townspeople who had never before seen such a display;

Whereas, Beginning in the 1900's, with editor F. J. Waldo, local news stories became more frequent. Mr. Waldo had a good sense of humor, but was also very opinionated. He began to speak out about numerous issues and printed the first political cartoon on November 19, 1904;

Whereas, Mr. Waldo boosted paper sales by implementing local contests with cash prizes. He also began including advertisements aimed at the feminine reader;

Whereas, With the introduction of radio, news reels and television, international and national news became more readily available to the general public. As a result, the Rising Sun Recorder began focusing almost entirely on local events and issues; and

Whereas, Although television news has impacted the circulation of daily newspapers, the Rising Sun Recorder has flourished during these changes by keeping the local readers up-to-date on the Ohio County community. The paper was purchased by Gene and Dale McCann in 1971 and they have been responsible for the continued circulation of the area's four weekly publications: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes the 175th anniversary of the Rising Sun Recorder.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Rising Sun Recorder.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 58

The Speaker handed down Senate Concurrent Resolution 58, sponsored by Representatives Ruppel and Reske:

A CONCURRENT RESOLUTION memorializing Lance Corporal Scott A. Zubowski.

Whereas, Lance Cpl. Scott Zubowski was killed on November 12, 2005 by an improvised explosive device while conducting combat operations against enemy forces in Al Amiriyah, Iraq;

Whereas, Lance Cpl. Zubowski was on his second tour of duty in Iraq and was assigned to 2nd Battalion, 7th Marine Regiment,

1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, California;

Whereas, In honor of Lance Cpl. Zubowski's ultimate sacrifice, flags were lowered to half-staff around North Manchester and at the North Manchester High School where Zubowski graduated in 2003; and

Whereas, In high school, Lance Cpl. Zubowski was a very bright student. He also ran track and cross country and was a swimmer. As a Marine, he fought to preserve liberty for us all and is truly a great American hero: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly memorializes Lance Corporal Scott A. Zubowski.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Lance Corporal Zubowski's family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1026, 1061, 1062, 1074, 1114, 1118, 1121, 1122, 1137, 1144, 1153, 1162, 1164, 1171, 1250, 1259, 1266, and 1276 and Senate Enrolled Acts 27, 111, 117, 118, 139, 153, 207, and 223 on March 6.

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 22, 51, and 176.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has sustained the veto of the Governor on Senate Enrolled Act 490.

MARY C. MENDEL
Principal Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that Representatives Bosma and Lehe be added as coauthors of House Bill 1271.

STEMLER

Motion prevailed.

On the motion of Representative Foley, the House adjourned at 2:30 p.m., this sixth day of March, 2008, until Monday, March 10, 2008, at 1:00 p.m.

B. PATRICK BAUER
Speaker of the House of Representatives

CLINTON McKAY
Principal Clerk of the House of Representatives